



THE CITY OF SAN DIEGO  
**REPORT TO THE CITY COUNCIL**

DATE ISSUED      September 22, 2011      REPORT NO. 11-126

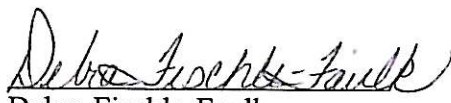
ATTENTION:      Rules, Open Government & Intergovernmental Relations Committee  
                         Agenda of September 28, 2011

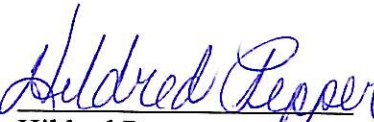
SUBJECT:          Fiscal Year 2011 Business Diversity Annual Report


SUMMARY:

The Equal Opportunity Contracting Program Update report has been reformatted in order to provide a more comprehensive picture of the City's progress in supporting and encouraging "...greater availability, capacity development and contract participation by Small Local Business Enterprises (SLBEs)...." and furthering the City's public interest to ".....foster effective broad-based competition from all segments of the contractor, consultant and vendor community...."

This annual report includes construction, consultant and vendor participation statistics, programmatic updates/activities and achievements, goals, plans for the future and compliance related activities. It also includes an executive summary and definitions of terms and/or acronyms. Three Departments have contributed to the contents of the report: Administration, Economic Development and Purchasing & Contracting. The report covers the period July 1, 2010 through June 30, 2011 and is submitted as Attachment 1.

  
Debra Fischle-Faulk  
Administration Department  
Director

  
Hildred Pepper  
Purchasing & Contracting  
Department Director

  
Beth Murray  
Economic Development  
Deputy Director





# Fiscal Year 2011 Business Diversity Annual Report



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## **Definitions**

***A&E Consultant*** – Architect & Engineering firms who provide consultant services to the City.

***Certified Firm*** – A firm that has been certified by either the City or an Agency accepted by the City and the certification has been verified.

***CDBG*** – Community Development Block Grant.

***CIP*** – Capital Improvement Project.

***DBE*** – Disadvantaged Business Enterprise (certifications available).

***DVBE*** – Disabled Veteran Business Enterprise (certifications available).

***DPBT*** – Persons with a Disability or Disabilities (no certification available).

***ELBE*** – City Certified Emerging Local Business Enterprise.

***EOC*** – Equal Opportunity Contracting Program.

***GRC*** – General Requirements Contract. As-needed and indefinite quantity contracts with maximum and minimum contract amounts, maximum terms and assigned firm fixed price task orders.

***HUBZone*** - Historically Underutilized Business Zones (Federal).

***LGBT*** – Lesbian, Gay, Bisexual Transsexual Business (no certification available).

***Micro-enterprise Business*** - Micro-enterprise is considered to be a for-profit business with five or fewer employees, one or more of whom owns the business and who are low- to moderate-income persons.

***MBE*** – Minority Business Enterprise (certifications available).

***Prism*** – The software purchased to assist with automating EOC compliance activity, reporting and certified firm searches.

***Restricted Competition*** – A program developed for bidding/proposing exclusively among SLBE/ELBE firms. This replaced the Minor Construction Program and has opened similar opportunities for consultants.

***SAP*** – Systems, Applications and Products in Data Processing. SAP AG is a German global software corporation that provides enterprise software applications and support to businesses of all sizes globally.

***SDCOC*** – San Diego Contracting Opportunities Center.

***SBA 8(a)*** - a small business owned and controlled by a socially and economically disadvantaged individual. (Federal)

***SLBE*** – City Certified Small Local Business Enterprise.

***Title VI*** – A statute provision of the Civil Rights Act of 1964 requiring agencies receiving federal funds to ensure that no person shall, on the grounds of race, color, national origin, sex, disability or age, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

***WBE*** – Woman Owned Business Enterprise (certifications available).

## Executive Summary

For the first time we have put together a comprehensive report that includes dollars awarded in the major categories of City contracting opportunities – Construction, A&E Consultant, Goods and Services and Economic Development Department information and statistics

We are pleased to report that we exceeded our Small Local Business Enterprise annual goal of **5%<sup>1</sup>** on CIP Construction Projects. A total of **12.9%** of the construction project dollars was awarded to Small and/or Emerging Local Small Business Enterprises (SLBE/ELBE). Total dollars awarded for **Construction** contracts was **\$143,884,496**. The increased emphasis of the Mayor, members of the City Council and City staff has resulted in a total of **\$23.5 million** awarded to certified Small/Emerging Local, Disabled Veteran, Disadvantaged, Woman and Minority owned businesses in construction contracts. We have established an annual goal of **15%** for **FY12**.

Fifty-seven (57) small contracts valued at over **\$16 million** were made exclusively available to small local businesses as prime contract opportunities. These opportunities were made available as a result of Mayor Sanders' direction to size a percentage of projects into smaller packages (\$500,000 and below) to increase direct contract opportunities for SLBE/ELBE firms. Twenty-eight (28) contracts have been awarded during this fiscal year totaling **\$5.64 million**. These smaller projects were part of the restricted competition program and were competitively bid by City certified small and/or emerging local businesses.

Unfortunately, we were unsuccessful in sustaining the high level of participation of **Architect & Engineering (A&E)** firms that we experienced in FY10. The 40.1% to certified firms in FY10 was an exceptional achievement and extremely difficult to sustain. That combined with our focus on effectively implementing the SLBE/ELBE program for construction contracts resulted in drop in A&E awards to **15.6%** to certified firms for FY11. Total dollars awarded for **A&E Consultant** contracts was **\$58,231,330**. The percentage achieved this fiscal year does exceed our FY09 performance of 5.11%. We recently implemented a restricted competition element for A&E projects and will increase our focus on these projects in the current fiscal year in an effort to achieve or exceed our 20% voluntary SLBE/ELBE goal.

Our **Goods & Services** contracts included a 20% voluntary SLBE/ELBE goal for FY11. Total dollars awarded for **Goods & Services** was **\$276,731,590**. Unfortunately, we did not achieve our voluntary goal. Total dollars awarded to self identified MBE/WBE/DBE/DVBE/8(a) firms was **\$12,233,461 (4.5%)**. In addition, **826 (11.9%)** of the total purchase orders were awarded to these firms.

We continuously seek ways to broaden our ability to have a positive impact on our small and local business community. Some examples are as follows:

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<sup>1</sup> This goal was established July, 2010 when the Program was first implemented. There were a total of 80 certified firms at the time.



- Approved 6 business loans totaling \$470,000 through the San Diego Revolving Loan Fund Program which is designed to offer financial assistance to small to mid-sized business owners to start and/or expand their businesses;
- Participate in the Southern California Inclusive Business Peer Network group (led by the Insight Center for Community Economic Development);
- Designed, and in process of implementing, a restricted competition element to A&E consultant contracts;
- Secured the assistance of former Field Engineering Deputy Director to develop and provide technical assistance training for SLBE/ELBEs in the construction field;
- Significantly increased bonding capacity of protégés currently in our Mentor Protégé Program.
- Posted and distributed our citywide DBE Policy signed by Mayor Sanders;
- Strengthened our Title VI Program efforts;
- Implemented DemandStar as an interim electronic bidder registration system;
- Allocated funds to implement an electronic bidder registration system through SAP;
- Instituted a “Meet the Buyer” Program;
- Conducted quarterly “How To Do Business With the City” sessions;
- Outreached to local, small, emerging and minority media outlets;
- Held over 200 one-on-one outreach sessions with local, small, emerging, and minority businesses.

We are proud of the progress that has been made this fiscal year and will continue to maintain a heightened focus on equal opportunity, economic development and inclusionary business practices.




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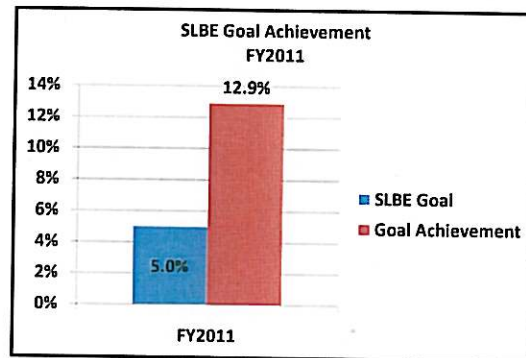
Wally Hill  
Assistant Chief Operating Officer



## FY2011 Awards

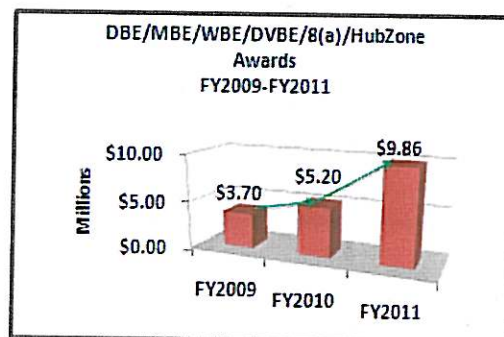
*Exceeded our FY2011 SLBE Annual Goal for Construction - Achieved 12.9%*

**Construction (All Certifications verified)**



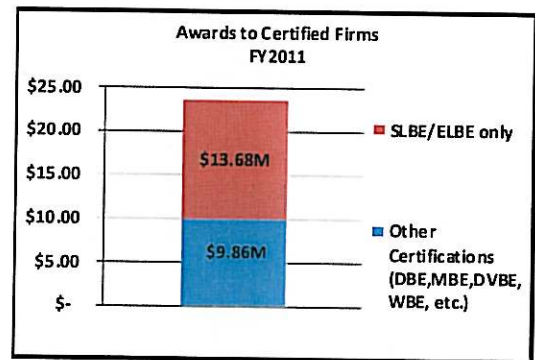
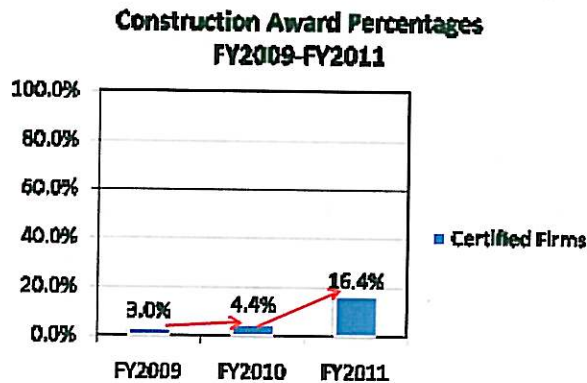
We surpassed our SLBE annual goal. Strategically packaging projects for restricted competition, establishing contract-by-contract goals and directly notifying certified firms of bid opportunities positively impacted our ability to exceed our goal. To report accurate numbers for this statistic, we included firms with other certifications (i.e. DBE, DVBE, WBE, etc.). The total dollars awarded to SLBE/ELBEs including firms with additional certifications was \$18,664,900 or 12.9% of the total dollars awarded. Our FY2012 annual goal is 15%.

As shown in the chart below, the SLBE Program increased the dollars and percentage of contracts awarded to certified MBE/WBE/DBE/DVBEs/8(a)/HUBZone.



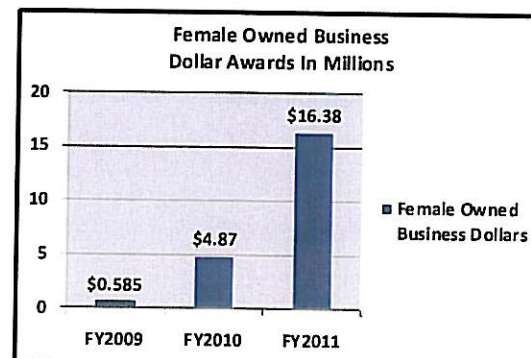
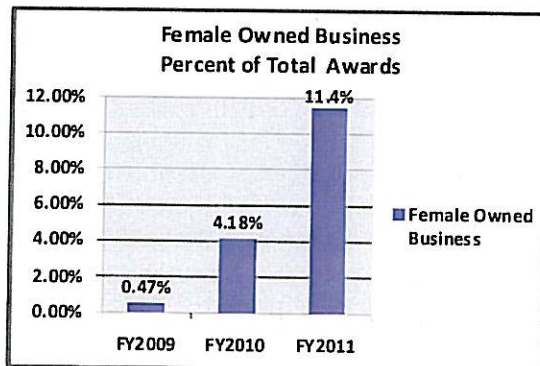
### *Construction Dollars Awarded to Certified Firms Continues to Increase*

Both dollars and percentage of total dollars awarded to certified firms continues to increase. The types of certifications we recognize include: MBE/WBE/DBE/DVBE/SLBE/ELBE/SBA 8(a)/HUBZone. SLBE/ELBE firms received over \$23.54 million and of that amount, firms with **SLBE/ELBE certifications only received \$13.68 million**. Firms with **additional certifications received over \$9.86 million**. Although there are firms with more than one certification, they have only been counted once in these charts.

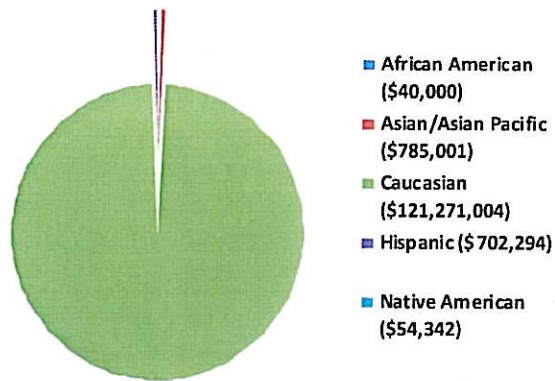


### *Over the Past Three Fiscal Years, Gender and Ethnic Dollar Distribution Increased*

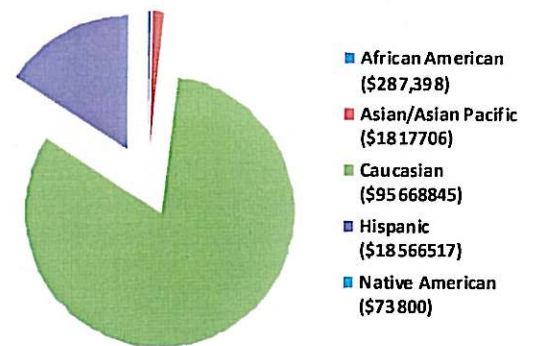
More dollars and percentage of total dollars were awarded to diverse firms. The charts below show our progress.



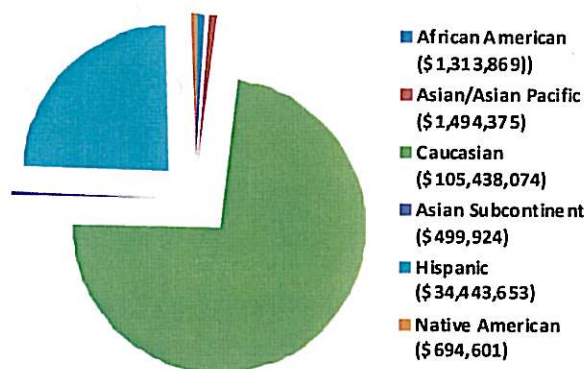
FY2009 Construction Dollars - Ethnicity



FY2010 Construction Dollars - Ethnicity



FY2011 Construction Dollars - Ethnicity



**Final Summary Reports** are submitted by prime contractors. They are consolidated records showing the name, telephone number and business address of each subcontractor, vendor/supplier and joint vendor partner and the total amount actually paid to each firm. They are submitted to the Resident Engineer thirty (30) days prior to contract completion. Fifty-nine (59) final summary reports were received during this reporting period. Total payments reported for this period is \$93,472,693. Certified subcontractors received \$5,908,955 (6.4%) and non-certified subcontractors received \$87,563,738 (93.6%). These reports represent projects that have been awarded in fiscal years 07, 08, 09 and 10.

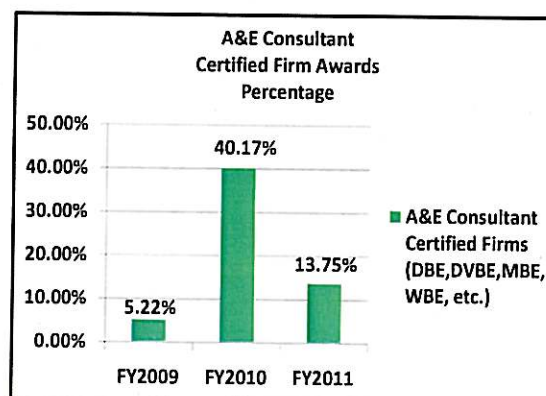
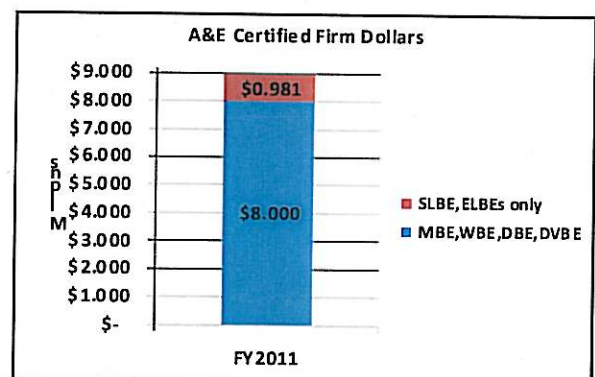
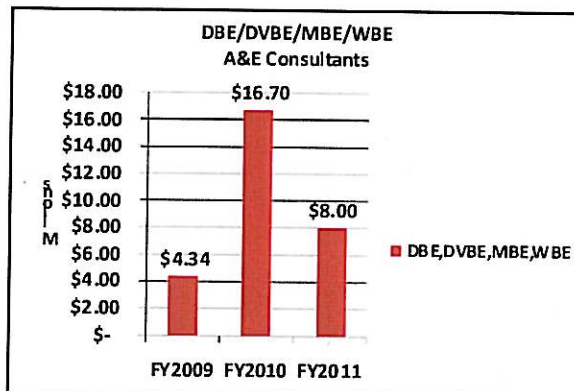
Fiscal Year	Total Dollars Paid	Certified Firms	Non-Certified Firms
2011	\$93,472,693	\$5,908,955 (6.4%)	\$87,563,738 (93.6%)
2010	\$20,655,496.61	\$2,428,167.62 (11.8%)	\$18,227,328.99 (88.2%)



## A&E Consultants (All certifications verified)

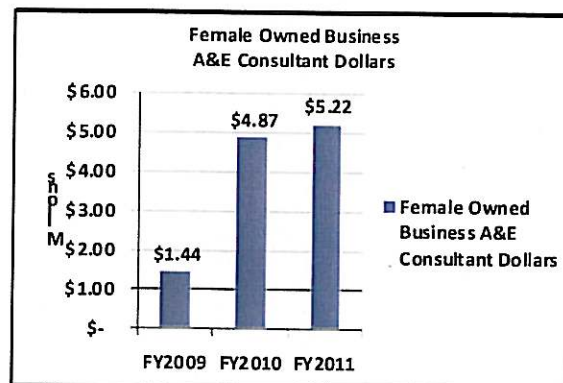
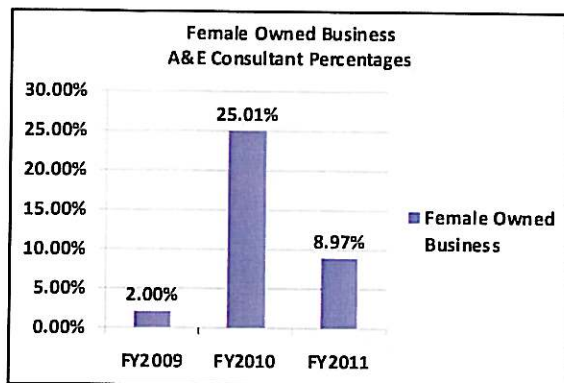
We achieved an unusually high percentage of awards to certified firms last fiscal year (40.1%). Unfortunately, we were not able to sustain the high percentage for this fiscal year.

MBE/WBE/DBE/DVBE firms received \$8 million or 13.7% this fiscal year. Some of these firms also have SLBE/ELBE certifications, however, as in the case of construction awards, we did not duplicate numbers. Adding firms certified solely as SLBE/ELBEs, increases the dollars to \$8.98 million and the percentage to 15.4%. The decline could be partially attributed to the significant emphasis placed on implementing the construction portion of the SLBE Program. We will increase our focus on A&E contracts in the current fiscal year in an effort to achieve or exceed our 20% voluntary SLBE/ELBE goal. We have implemented a restricted competition program for consultants effective August of this year and we plan on revisiting the established SLBE/ELBE income limits for consultants. The following charts show our progress.

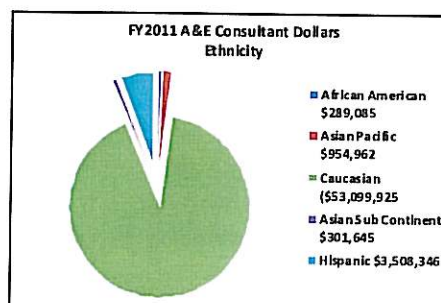
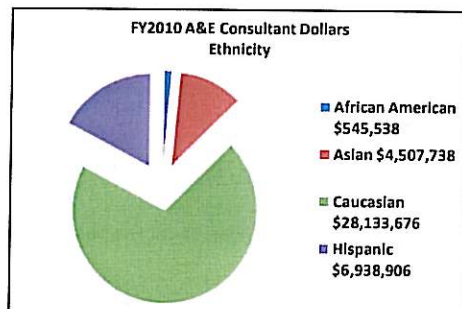
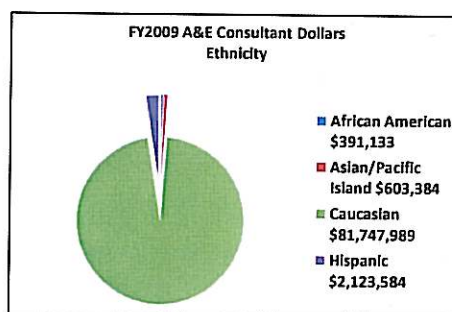




The trend for female-owned businesses percentage mirrors the certified firm percentages chart.



The charts below show the dollar trend by ethnicity.

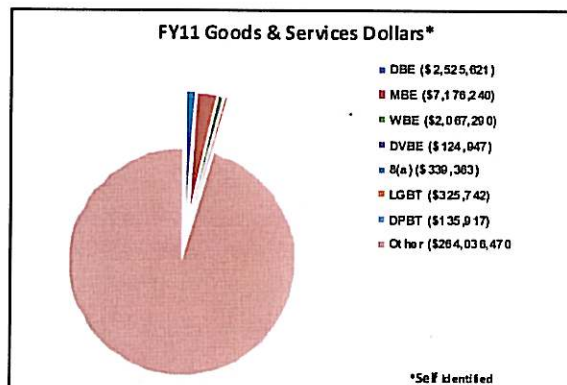


## Goods & Services

Goods & Services statistics are depicted in the charts below. In FY11 **Over \$12.23 million (4.5%) was awarded to self identified DBE/MBE/WBE/DVBE/8(a) firms.** In addition, **826 (11.9%) of the total purchase orders were awarded to these firms.**

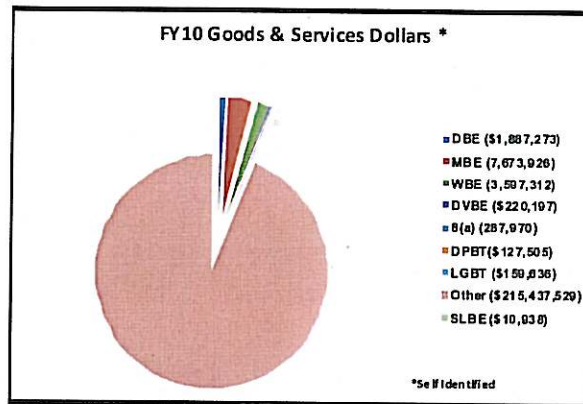
**FY11**

Business Type*	# PO's	%	PO Value	%
DBE	216	3.1%	\$2,525,621.17	0.9%
MBE	220	3.2%	\$7,176,239.75	2.6%
WBE	368	5.3%	\$2,067,290.15	0.7%
DVBE	12	0.2%	\$124,947.33	0.0%
8(a)	10	0.1%	\$339,363.00	0.1%
LGBT	73	1.1%	\$325,741.70	0.1%
DPBT	6	0.1%	\$135,917.01	0.0%
Other	5,999	86.9%	\$264,036,469.72	95.4%
<b>*Self Identified</b>	<b>6,904</b>	<b>100%</b>	<b>\$276,731,589.83</b>	<b>100.0%</b>



**FY10**

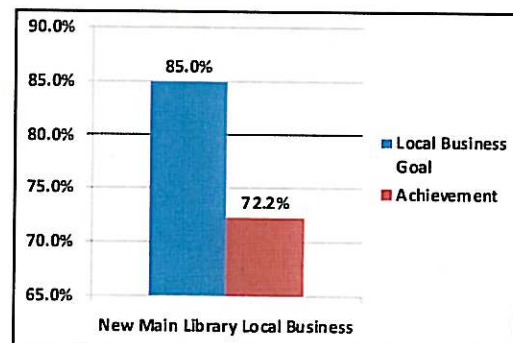
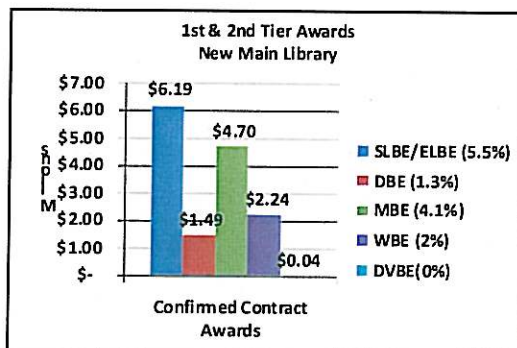
Business Type*	# PO's	%	PO Value	%
DBE	216	3.2%	\$1,887,272.65	0.8%
MBE	210	3.1%	\$7,673,926.09	3.3%
WBE	498	7.3%	\$3,597,312.32	1.6%
DVBE	12	0.2%	\$220,196.62	0.1%
8(a)	9	0.1%	\$287,970.08	0.1%
SLBE	4	0.1%	\$10,938.17	0.0%
LGBT	65	1.0%	\$159,635.89	0.1%
DPBT	6	0.1%	\$127,505.18	0.1%
Other	5,797	85%	\$215,437,529.01	93.9%
<b>*Self Identified</b>	<b>6,817</b>	<b>100%</b>	<b>\$229,402,286.01</b>	<b>100%</b>



## New Main Library

Construction of the New Main Library began last fiscal year. The City's Construction Manager, Turner Construction, provided the following update on their commitment to award subcontracts to certified firms:

**Minimum Commitment – 20% of subcontracting opportunities –**  
**MBE/WBE/DBE/SLBE/ELBE; 1-3% DVBE; 85% Local**



On September 1, 2011 Turner's Vice President & General Manager and Project Executive renewed Turner Construction's commitment to providing opportunities and awarding contracts to certified firms. The letter is included as Attachment 2. Staff continues to closely monitor both labor and contract compliance and work with Turner to resolve issues as they are identified.



## Success Stories

We have a number of success stories that can be told as a result of our more focused approach to increasing opportunities for our small local business community. The combined efforts of Business Finance, Office of Small Business, Engineering & Capital Projects, Equal Opportunity Contracting Purchasing & Contracting and members of the contracting community had a positive impact on contracts awarded. The following are a few success stories:

- ***BPI Plumbing***, a certified ELBE, DVBE and current protégé was the successful bidder on our small General Requirements Contract for plumbing. That contract has a not-to-exceed amount of \$500,000.
- ***The Brown Law Group***, a certified SLBE received a \$200,000 Legal Services Agreement.
- ***A2 Studios, Inc.***, a certified ELBE and ***La Salle Solutions, LLC***, a certified SLBE were selected to be included in the City's Consultant Rotation List for direct consultant contract opportunities.
- ***Native Landscape***, a certified SLBE successfully bid on a \$435,000 contract.
- ***BRH Garver West***, a non certified firm subcontracted 34% of bid items to certified MBE/WBE/DBE/SLBE/ELBE firms on a \$1.3 million sewer group job.
- ***Burtech Pipeline***, a non certified firm subcontracted 28.83% of bid items to certified DBE/MBE/SLBE firms on a \$4 million sewer main rehab project.
- ***Orion Construction***, a non certified firm and mentor in the City's Mentor Protégé Program, subcontracted 16.82% of bid items to certified DBE/DVBE/MBE/SLBE firms on an \$833,000 water systems improvement project.
- ***SRM Contracting & Paving***, a non certified firm subcontracted 16.18% of bid items to certified DBE//SLBE firms on a \$9.9 million asphalt overlay group job.
- ***HMS Construction***, a non certified firm subcontracted 15.82% of bid items to certified DBE/DVBE/SLBE/WBE firms on a \$459,000 street light project.
- ***Richard J. Goldkamp, dba Goldkamp Landscape Maintenance***, a certified ELBE was awarded a contract for \$155,430 as a result of applying the 2% bid discount afforded to certified firms.
- ***TC Construction***, a non certified firm and mentor in the City's Mentor Protégé Program, worked diligently with the City to expedite payment to an ELBE firm on a \$1.2 million sewer and water group job.
- ***T and T Janitorial***, a certified SLBE was awarded a \$277,000 contract for janitorial services at branch libraries.



## **Testimonials regarding the SLBE/ELBE Program**

“Your Program is working!!! I just received the attached today, and would have missed out on this opportunity if it had NOT been for your efforts to communicate SLBE requirements and opportunities to our local large business firms!!! Thanks, gb”

“It was a pleasure to meet you this morning at the Elite SDVOB meeting. Thank you for fighting on behalf of small and disadvantaged businesses. We are excited about the potential opportunities with the City’s SLBE program.”

“Thank you for your efforts and the work of others in the City for increasing the opportunities for local small and micro businesses! The City of San Diego’s Small Local Business Program has been extremely helpful to me. I am certified as an ELBE and a member of the Small Business Development Pilot Program. In the past few months I have received many more phone calls from primes interested in having my one-person firm on their teams. Also I have had the invaluable benefit of one-on-one counseling with Trisha Ferrand of SDCOC, and have been able to attend high quality workshops at no cost. Today I received confirmation that I have successfully registered in the federal Central Contractor Registration (CCR) system, a list I was not aware of until attending the SDCOC classes. The City’s Meet the Buyers event last week was a great opportunity to interact with Purchasing Department staff. I got very useful information from John Mendivil and Frank Romero and had an excellent follow up contact with Lisa Hoffman. Debra, thank you again for everything you are doing to help small businesses thrive! We appreciate it.”

## **Internal Activities**

### **Executive Support**

Mayor Sanders continues to stress and actively support the City’s compelling interest to: stimulate economic development through the support and empowerment of the local community, promote equal opportunity for all segments of the contracting community and provide new avenues for the development of new capacity and sources of competition for City contracts.

He has directed all departments to package projects in a *balanced* manner to provide contracting opportunities for small, medium and large firms and routinely monitors our progress. Upcoming construction projects for bid under \$500,000 are posted on the City’s website at: <http://www.sandiego.gov/engineering-cip/services/smallcontractsdownload.shtml>. This provides Small Local Businesses with a 5-6 month outlook of upcoming opportunities. In addition, the City implemented its General Requirements Contracting (GRC) Program for seven trades: Electrical Systems, Mechanical Systems, Right of Way Pipeline, Street Lighting & Traffic Signals, Building Improvements, Site-work and Roofing. GRCs are as-needed and indefinite quantity contracts with maximum and minimum contract amounts, maximum terms and assigned firm fixed price task orders. To provide opportunities for all segments of the contracting community both large (\$4.5 million) and small (\$500,000) GRC’s were advertised and awarded.

The small GRCs resulted in prime contract awards to SLBE/ELBE/MBE/DBE/DVBE certified firms.

He kicked-off the City's Third Annual Potential Bidders Conference, the Turner School of Construction Management held for the New Main Library project and was the keynote speaker at the City's Small Business Advisory Board's Annual Community Outreach Meeting.

He routinely meets with the Administration Department Director to keep apprised of the ongoing activities, issues and progress of the Equal Opportunity Contracting (EOC) Program and reaffirmed the City's commitment to our Disadvantaged Business Enterprise Program on federally funded projects via an Annual Policy Statement which can be found on the City's website at: <http://www.sandiego.gov/eoc/dbe/index.shtml>.

### **Citizens Equal Opportunity Commission (CEOC)**

The CEOC is governed by Municipal Code Section 26.16. Members are appointed by the Mayor and confirmed by the Council. The board consists of eleven (11) Members and must include one (1) representative from each of the following historically under-represented groups: Latino, African-American, Filipino, American Indian, Asian/Pacific Islander, Disabled, and Lesbian/Gay/Bisexual/Transgender. The remaining four (4) members are appointed from the City at large.

The duties of the Commission include: 1) monitor and/or evaluate the Equal Opportunity Program of the City, 2) advise on a continuing basis, the Mayor, City Council, Civil Service Commission and other appropriate agencies of City government, 3) submit written reports for review by Rules Committee and City Council, 4) assist in the recruitment of competent historically under-represented individuals/businesses, women and persons with disabilities, and 5) promote the City of San Diego as an Equal Opportunity Employer of individuals and firms desiring to contract with the City.

They meet monthly on the first Wednesday of each month at 6 p.m. on the 12<sup>th</sup> floor of the City Administration Building. The Administration Department staffs the Commission.

The Commission examined a number of issues during the fiscal year including but not limited to: Equal Benefits Ordinance, Local Hiring Policy/Prevailing Wages, Gang Commission activities, Purchasing & Contracting Goods & Services statistics and the City's Mentor/Protégé Program. In addition, they prepared and submitted their annual report to the Mayor and Council and will submit their FY11 annual report in the near future.

### **Small Business Advisory Board**

The City of San Diego's Small Business Advisory Board serves as an advocate and liaison for the small business community by providing forums to discuss and learn about City programs and services, business assistance organizations, and free resources available to help start, grow, and expand City of San Diego small businesses. The Board is governed by San Diego Municipal Code, Section 26.06. Members shall be appointed by the Mayor and confirmed by the Council.



The board consists of eleven (11) members including one representative from each of the following groups: Small Business Administration District Director or designated representative; President of the Business Improvement District Council or designated representative. The nine (9) remaining appointees may include, but are not limited to, representatives of the following areas of interest and expertise: Small business owners; Accounting, financial-lending, legal or economic backgrounds; Advocates of small business interests with governmental agencies. The Office of Small Business staffs the Board.

During this fiscal year, the Board offered information, presentations, and outreach opportunities from ACCION San Diego, City Treasurer's Office/ Business Tax Division, CONNECT San Diego, Food & Beverage Association of San Diego, San Diego Regional Enterprise Zone, San Diego Workforce Partnership, and SDG&E.

They also participated in the City's Small Business Enhancement Program Grant process that provides funding to non-profit organizations to offer technical assistance and innovative programs and services to City of San Diego small businesses. In FY 2011, seven non-profit organizations were collectively awarded Small Business Enhancement Program Grant funding in the amount of \$120,000. Grant recipients presented and reported how funds were utilized to implement programs to serve City of San Diego small businesses and entrepreneurs. Able-Disabled Advocacy, Greater San Diego Business Association, San Diego Contracting Opportunities Center, and the SDSU Small Business Consulting Center presented their programs and services supported by this grant funding.

The Board hosted its Annual Community Outreach Meeting October 15, 2010 for the region's small businesses. Mayor Sanders was the keynote speaker, and Congresswoman Susan Davis was invited to speak about the critical role small businesses play in San Diego's economy. This special event featured the City's Small Local Business Enterprise Program, "Financing Your Business" and "Supporting Your Business" panel presentations, and a "Small Business Success Stories" panel to highlight success stories of local small businesses who participated in City programs or services to help leverage and expand their businesses. The event was held at the Balboa Park Club Santa Fe Room with 67 people in attendance.

### **Restricted Competition - Construction**

For several years, the City provided small contract opportunities under the "Minor Construction" Program. Projects under this program had an estimated dollar value of \$250,000 and below. There was a simple application with higher income limits. Formal financial records were not required.

Beginning July 1, 2010, this program was replaced with the "Minor Public Works" program, an element of our SLBE Program. The dollar threshold for new Minor Public Works projects is \$500,000 and below. These types of projects are awarded through a competitive bid process open only to City of San Diego certified SLBEs/ELBEs.

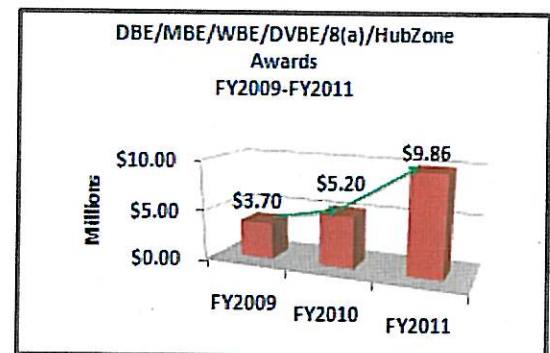
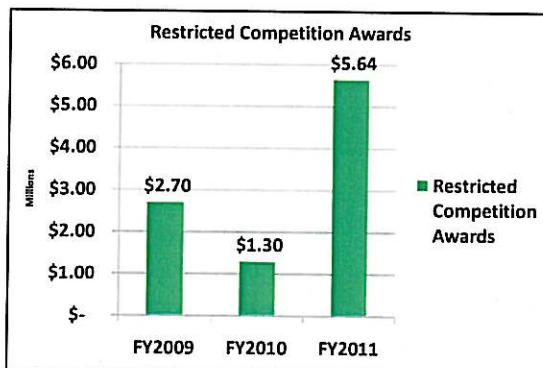
### ***Restricted Competition has Increased Prime Contract Opportunities for Certified Firms***

At the direction of Mayor Sanders, a number of projects were packaged to opportunities were

made available under this program element. As a result, there were **57 projects valued at over \$16 million advertised during this fiscal year**. These projects provide prime contracting opportunities to SLBE/ELBE firms. **Awards to certified firms under this program total \$5.64 million** for this fiscal year. The charts above show the trends over the past 3 fiscal years:

### Restricted Competition – A&E Consultants

A collaborative effort between Administration and Public Works Departments resulted in the development of a restricted competition program for A&E Consultants. Among other things, the Program provides direct contract opportunities for certified SLBE/ELBE firms on projects valued at \$25,000 and below. Specifically, departments hiring an A&E consultant for professional services **must** contact, solicit a proposal from and consider for award, a minimum of one (1) firm from the City's approved SLBE list. The required is waived if there are no certified firms on the list, however, a written waiver from Equal Opportunity Contracting must be obtained. In addition, Public Works Department is actively sizing projects to facilitate these SLBE/ELBE consultant opportunities.



### Contract Compliance

Equal Opportunity Contracting Program staff continues to focus on compliance. **Compliance related activities continue to increase**. Below is a chart detailing with data for FY2009-2011:

Compliance Activity	FY2011	FY2010	FY2009
Pre-bid meetings* <sup>2</sup>	168 ↑	104	76
Pre-construction	96 ↑	69	Not included in 2009

<sup>2</sup> Provide details of EO bid/contract requirements and answer contractor questions.



meetings*			report
Consultant interview panels	27	48	15
RFP review	207 ↑	108	37
Project site visits	68	107	17
Employee interviews	68	176	Not included in 2009 report
Certified payrolls reviewed	1,933 ↑	1,238	Not included in 2009 report
\$ recovered for employees	\$1,157.69 ↑	\$769	Not included in 2009 report
SCOPE/SLBE documents reviewed	79 ↑	78	Not included in 2009 report
SCOPE/SLBE documents failed	26 ↑	15	Not included in 2009 report
Federal good faith effort documents reviewed	52 ↑	5	Not included in 2009 report
Federal good faith effort documents failed	37 ↑	2	Not included in 2009 report
EO Plans requested, received and reviewed	40	98	12
EO Plans approved	32	74	10
EO Plans pending additional information	7	24	2
Final Summary Reports received and approved	59 ↑	27	29
Subcontractor payment verifications	500 ↑	207	58
\$ recovered for subcontractors	0	\$75,406	Not included in 2009 report
\$ assessed for public contract code violations	\$6,720.40 ↑	\$2,694.48	Not included in 2009 report

Economic Development Department's Community Block Grant staff monitors Davis Bacon requirements on CDBG funded construction projects. The chart below is their monitoring activities:

Active Contracts	Certified Payrolls Reviewed	Site Visits	Interviews Conducted
44	200	150	125

## Action Documents Processed

EOC staff reviews and approves requests for Mayor and City Council actions prior to docketing and/or contract award. This is to ensure equal opportunity requirements are followed. The following are the FY10-FY11 statistics.

	<u>FY11</u>	<u>FY10</u>
<b>1472 – Request for Council Actions:</b>	<b>365</b>	<b>350</b>

(Includes review & approval of Executive Summary language, analysis of workforce report, supporting documentation (B-Page) and verification of EOC contract requirement compliance)

<b>1544 – Mayoral Actions:</b>	<b>102</b>	<b>146</b>
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(Includes analysis of workforce report and supporting documentation (B-Page) and verification of EOC contract requirement compliance)

<b>PA 2625 – Mayoral Approval of Contract Awards:</b>	<b>228</b>	<b>156</b>
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(Includes analysis of workforce reports & verification of EOC contract requirement compliance)

Purchasing & Contracting staff processes RFQs/RFPs and Purchase Orders for materials/services. The following are the FY10-FY11 statistics:

	<u>FY11</u>	<u>FY10</u>
<b>RFQs/RFPs</b>	<b>82</b>	<b>51</b>
<b>Purchase Orders</b>	<b>6,903</b>	<b>6,818</b>

## Certifications – SLBE/ELBE

With the July, 2010 implementation of the Small Local Business Program, the City began processing SLBE/ELBE applications. A four person interdepartmental (Administration and Public Works) team began the intake, review, approve/deny and site visit process. Applications are taken daily, entered into our data base and reviewed for completeness. Additional information is requested as necessary and completed applications are forwarded to the review team who meets weekly. Certifications are active for 2 years. This fiscal year the team will be conducting site visits. The following are the applications statistics as of June 21, 2011:

Total Received:	489
Approved:	320
Pending*:	112
Denied:	47
Inactive:	10

(\*awaiting additional information from applicant)

## **Contract-by-Contract Goal Setting**

In accordance with Department of Transportation regulations (for Caltrans, FAA, FHWA funded projects) and the City's Small Local Business Enterprise Program requirements (City funded projects), Public Works Department staff calculated contract-by-contract goals for Equal Opportunity Contracting review and approval. The team calculated, reviewed and approved goals for 156 projects.

## **Training**

It is important that Equal Opportunity staff keep current with contract compliance related regulations and appropriate implementation requirements. This fiscal year staff attended training in Prism, Title VI, Airport Authority DBE, Caltrans Good Faith Effort Evaluation, HUD Section 3 Compliance, Apprentice Utilization and Prevailing Wage Refresher.

Purchasing and Contracting is active the San Diego chapter of the California Association of Public Purchasing Officials (CAPPO). The local chapter provides monthly training on a variety of procurement related topics. The department also provided an all training session on Design-Build Construction Contracting.

## **External Activities**

### **Audits**

Labor Compliance/Davis Bacon External audits were performed on the following projects all were found to be in compliance:

K083623 - North Harbor Drive/Navy Estuary Seismic Retro  
K083728C - First Avenue Bridge over Maple Canyon  
K084338 – Brown Field Airport Electric Upgrade

The Purchasing and Contracting is currently up to date on all outstanding audit findings and is currently undergoing an operational and Procurement Card audit.

### **Complaints (Non-Discrimination In Contracting) – San Diego Municipal Code, Article 2, Division 35 §22.3501-22.3517**

There were no formal complaints of discrimination filed in accordance with the City's Non-Discrimination in Contracting ordinance.

### **Micro-enterprise Program**

The City of San Diego's FY2011 Community Development Block Grant (CDBG) Program provided funding to 7 programs for micro-enterprise assistance activities. Micro-enterprise is considered to be a for-profit business with five or fewer employees, one or more of whom owns



the business who are low- to moderate-income persons. Micro-enterprise assistance activities include technical assistance, loans, grants, loan guarantees, and/or interest subsidies.

It should also be noted that although the numbers reflected in this report indicate the number of Micro-enterprises were created or expanded, many more potential Micro-enterprise owners and current Micro-enterprise owners desiring to expand, attended business workshops, seminars, and received other forms of technical assistance to prepare them for business ownership or expansion at a later date.

The table below shows the number of Micro-enterprises created or expanded through this program.

Agency	CDBG Funds	Minority-Owned	Woman-Owned	Veteran-Owned	Leverage Funds (Loans)
Access, Inc.	\$50,000	20	11	Not Available	
Accion San Diego	\$207,750	37	18	Not Available	\$417,250
Horn of Africa	\$60,000	25	25	N/A	
International Rescue Committee	\$40500	26	26	Not Available	
Southwest Community College SBDC	\$150,000	32	26	Not Available	
Southwest Community College Fast Track	\$86,400	27	21	34 (15 Disabled Veterans)	

NOTES: 1. Data on Veterans is not tracked but we intend to add the collection of this data this Fiscal Year; 2. Accion leveraged other funding to provide small business loans to new small businesses, 3. Accion funding is the average of two fiscal years as the FY10 and FY11 funding was used for six months .

### Technical Assistance

In collaboration with Public Works Department, Administration will be hosting several construction technical assistance workshops for Small and Emerging Local Business Enterprises. The curriculum includes: background on public works projects, the bid and award process, construction management and inspection process and project finalization. The trainings will be lead by Public Works Department staff and will begin in January 2012.

## Outreach

The City continues to hold, support and participate in a number of outreach events to ensure all segments of our business community are aware of and providing opportunities to compete on City projects. The following are the FY11 outreach activities and/or events:

### Business Finance

The San Diego Revolving Loan Funds offer financial assistance to small to mid-size business owners with expanding businesses that require capital, but are unable to meet the terms of traditional banks. The “gap financing” program ranges from \$25,000 to \$150,000 in the Small Business Micro Loan Fund and \$150,000 to \$500,000 in the San Diego Regional Revolving Loan Fund. Through careful screening of loan applicants and creative loan structuring, the program can help business owners achieve their goal. During FY 2011, Business Finance answered 150 inquiries regarding the loans programs and conducted 6 Business Outreach Events at the following venues:

Date	Event	Details
8/10/2010	ACCION San Diego	Partnering programs to better serve small businesses with financing needs.
9/10/2010	Hispanic Chamber of E-Commerce Showcase	Panel showcasing financial resources available to e-businesses in San Diego.
2/16/2011	Adams BID Monthly Series	Panel showcasing financial resources available to small businesses located in the Adams BID and the City of San Diego overall.
5/18/2011	City of San Diego-3 <sup>rd</sup> Annual Potential Bidders Conference	Showcased Small Business Loan Programs
6/29/2011	Next Steps for Small Business – SBDC (Small Business Development Centers)	Regional conference featuring access to capital, procurement, social media, e-mail marketing and international trade opportunities for small businesses.
7/26/2011	Your Business Matters – Little Italy	Panel presentation on Small Business Finance in conjunction with Economic Growth Services

### Equal Opportunity Contracting

<b>Date</b>	<b>Event</b>	<b>Purpose</b>
09/28/10	SLBE Workshop	In Partnership with Public Works provide Technical Assistance on GRC bid process
10/14/10	New Main Library Outreach sponsored by Turner Construction	SLBE /Program Presentation
10/15/10	Small Business Advisory Board Annual Community Outreach	SLBE Program Presentation
10/20/10	Latino Builders Industry Association Presentation	SLBE Program/Application Process
10/21/10	Paths to Partnerships	SLBE Program/Application Process
10/27/10	Councilmember Tony Young Smart Business Solutions GRC Workshop	In Partnership with Public Works provide technical assistance on GRC bid process
11/04/10	Turner School of Construction Management	SLBE Program/Certification Requirements
12/01/10	Associated General Contractors Association – San Diego Chapter SLBE Program Workshop	SLBE Program Presentation and Requirements
01/20/11	How to Do Business with the City of San Diego	SLBE Program and Contract Compliance Presentation
02/03/11	CMAA Owner’s Night Networking Event	SLBE Program/Certification Requirements
02/24/11	Kick-off Reception Turner School of Construction Management	Construction Management Class for SLBE/ELBEs for Library Project
03/29/11	Turner School of Construction Management	In Partnership with Public Works provide Technical Assistance to Certified SLBE/ELBE firms
04/06/11	Associated General Contractors Association – San Diego Chapter SLBE Program Workshop	SLBE Program Presentation and Requirements
05/12/11	Insight Center for Community &	Discusses challenges,



	Economic Development – Peer Networking	best practices, new initiatives, share successes, etc. with representatives from Southern California public agencies.
06/16/11	Subs for Subs 2011	SLBE Program/Certification Requirements
06/29/11	San Diego Contracting Opportunities Center – PTAC	SLBE Program/Certification Requirements

**Office of Small Business (See Attachment A for Additional Outreach)**

<b>Date</b>	<b>Organization/Event</b>	<b>Activity/Presentation</b>
7/26/2010	UCSD Academic Connections	Provided The “Business” of Small Business in the City of San Diego presentation to UCSD Academic Connections Students (Office of Small Business Overview/ City Programs & Services).
8/12/2010	Women Presidents Organization – San Diego Chapter	Provided overview of Small Business Development Pilot Program & Small Local Business Enterprise Program at monthly meeting.
8/25/2011	MAAC Project Green Team	Provided “10 Key Steps to Starting A Business” presentation to MAAC Project Green Team Students
10/1/2010	San Diego Regional Chamber of Commerce – Legislative and Small Business Advocacy Committee	Provided The “Business” of Small Business in the City of San Diego presentation at monthly meeting (Office of Small Business Overview/ City Programs & Services).
1/12/2011	City Heights Business Association	Provided The “Business” of Small Business in the City of San Diego presentation at monthly meeting (Office of Small Business Overview/ City Programs & Services).

February, March, May, June 2011	East Village Association - East Village Business Improvement District	Provided Office of Small Business announcements & information on City programs & services at monthly meeting.
2/22/11	Hillcrest Business Improvement Association	Provided The "Business" of Small Business in the City of San Diego presentation at monthly meeting (Office of Small Business Overview/ City Programs & Services).
3/6/11	"Work at Home Business Expo" – County wide expo at Del Mar Fairgrounds	Provided "10 Key Steps to Starting a Home-based Business" Workshop
3/24/11	Women Entrepreneur Empowerment (WEE) Luncheon – WEE provides motivational workshops and luncheons to inspire aspiring and existing women entrepreneurs.	Keynote Speaker & Emcee Provided "10 Key Steps to Starting a Business," and Facilitated panel on successful women entrepreneurs
5/21/11	"Black Women's Business Expo" – In the Pinc's special event to showcase and support women of color in business development	Provided overview of Office of Small Business & City Programs & Services, and Small Local Business Enterprise Program.

### **Purchasing & Contracting**

During Fiscal Year 2011, a total of 4 workshops were held and an estimated 84 people attended. In addition to the workshops held below is a list of other outreach events that Purchasing & Contracting participated in:

Date	Event
03/29/11	Turner School of Construction Management
04/16/11	San Fernando Valley Economic Development Center – Where's the Money Access to Capital Business Expo
05/10/11	San Diego Development Council & Matchmaking Event
05/18/11	Asian Business Association
05/19/11	Potential Bidder Conference

05/24/11	Keeping the Promise Symposium & Matchmaking
06/08/11	Meet the Buyers Networking Event
6/16/11	Annual Subs for Subs (Construction

Also, the department team members met with over 100 individual or organizations to provide information of how to do business with the City.

### **Inclusive Business Peer Network**

The City was invited to participate in the Insight Center for Community and Economic Development's Southern California Peer Networking Group. The Peer Networking Group is part of the Center's Inclusive Business Initiative, a project designed to provide information to states and local governments, as well as diverse small businesses and their advocates, in order to further the inclusive business programs of public agencies. The initiative is a key component of the Insight Center's work to advance strategies that build family and community assets and help overcome the racial wealth gap.

The group meets quarterly and discusses challenges, best practices, new initiatives, share successes, etc. Representatives include: Insight Center for Community and Economic Development, City of San Diego Administration Department, California Department of Transportation, City of Los Angeles, Los Angeles County Metropolitan Transportation Authority, Southern California Minority Business Development Council. The City will be hosting the next meeting scheduled for October 4, 2011.

### **Mentor Protégé Program**

One of the primary goals of the Mentor Protégé Program is to... ***"Enhance the capacity and/or capabilities of protégé firms to perform as prime and/or subcontractors on public works and commercial projects...."*** A true success of the program is that protégés have significantly increased their bonding limits. The following lists the protégés in the program during FY11:

Protégé	Program Entry Date	Single Bond Limit	Aggregate Capacity Limit	Current Single Bond Limit	Current Aggregate Capacity Limit
A.B Hashmi (DBE,ELBE)	10/28/08	\$750,000	\$1,500,000	\$1,000,000	\$2,000,000
Berrill Demolition (ELBE)	01/21/09	\$12,500	\$12,500	\$250,000	\$500,000
BPI Plumbing (DVBE,ELBE)	10/14/09	\$200,000	\$500,000	\$500,000	\$1,000,000



J. Cloud, Inc. (MBE,SLBE)	05/04/10	\$12,500	\$12,500	\$500,000	\$1,000,000
Patricia I. Romero, Inc. dba Pacific West Builders (8(a), SLBE)	10/23/08	\$3,000,000	\$7,000,000	\$7,000,000	\$15,000,000
Prava Construction Services (MBE,SLBE)	03/01/10	\$1,000,000	\$2,000,000	\$2,000,000	\$4,000,000
Silva General Construction (DBE,SLBE)	02/20/08	\$115,000	Not set	\$2,000,000	\$5,000,000

In addition, we have provided several courses to assist them with their business. Some of the courses taken were OSHA, Construction Project Management Scheduling, Construction Safety Hazard Awareness, Construction Estimating, Construction Financial Management, Prevailing Wage, ADA, Storm Water Compliance and Construction Project Management.

In FY12 we will conduct a comprehensive programmatic review to determine 1) how the program can be expanded and 2) what refinements can be made to continuously improve the program's effectiveness. This review will be conducted with the input and assistance of the construction business community and Citizens Equal Opportunity Commission. A recent meeting with the current mentors has generated a number of positive suggestions and new elements to consider that would improve and broaden the program.

### **Notice of Bid Opportunities**

As part of our ongoing effort to ensure SLBE/ELBEs are directly notified of City bid opportunities, the Administration Department forwards weekly notices on contracts with an estimated value over \$500,000. During this fiscal year, 122 Special Notices of Bid Opportunities valued at approximately \$394.9 million were sent. In addition, restricted competition bid opportunities (\$500,000 and below) for construction projects are forwarded only to SLBE/ELBE firms by Public Works Contracting.

### **Small Business Pilot Program**

In 2010, the Office of Small Business launched the Small Business Development Pilot Study & Program. The purpose of the Program is to positively impact the "readiness levels" of small businesses to bid /respond to contracting opportunities with the City and help identify barriers to City procurement and contracting opportunities.

It provides an in-depth understanding of "How to do Business with the City"; identifies and assesses the training needs of small businesses to better position themselves as potential bidders; offers technical assistance and training specifically tailored to pilot participants needs; provides

information on the benefits of the City's Small Local Business Enterprise Program to encourage certification; and ultimately aims to help position participants to successfully bid on contracts within a year. It also offers orientation sessions, individual and tailored one-to-one counseling, training workshops based on interests and needs identified through an initial survey, a "Meet the Buyers" Networking Event, and a Follow-Up Survey to assess the progress of pilot participants and impact of the Small Business Development Pilot Program.

The program initially began with a random Needs Assessment Survey e-mailed to approximately 500 small businesses listed in the City's database. A total of 105 businesses responded. This initial survey tool assists with identify training needs to design the overall workshops, counseling, and technical assistance to be provided through the pilot program. The Needs Assessment Survey also gathers data on barriers small businesses face in pursuing City contracts to ultimately help staff refine future outreach efforts, technical assistance, training, and services to small businesses. 55 businesses that completed the survey and also met the City's Small Local Business Enterprise program criteria were selected as 2010 Pilot Program participants.

**Results** - The 2010 program was developed and implemented in a short timeframe in order to assist businesses as quickly as possible. Between March 2010-December 2010, three program orientation and training sessions were offered and 71 one-to-one counseling sessions were provided through the San Diego Contracting Opportunities Center. In addition, 18 businesses attended 11 workshops offered by the San Diego Contracting Opportunities Center, and a "Meet the Buyers" Networking Event was hosted to give participants the opportunity to meet with the City's Purchasing and Contracting Specialists ("Buyers") to better understand City procurement and contracting processes. Even though the timeframe was ambitious for most firms to identify opportunities, respond to bids, and obtain contracts, as a result of the 2010 program, 10 businesses became certified in the City's Small Local Business Enterprise Program, two participants were listed on the City, County, and Port's Consultant Rotation List, and two participants were successfully awarded \$285,000 in City contracts.

## **FY2012 Goals**

It is critical to continue to encourage diversity in our business development, bidding and procurement activities. We have established the following goals to continuously improve our efforts and outcomes with providing economic development, capacity building and effective broad based competition for all segments of the contractor, consultant and vendor community, including, but not limited to: disadvantage business enterprises, small and emerging local business enterprises, disabled veteran business enterprises and minority business enterprises and woman business enterprises.

### **Administration**

- Further develop and implement a comprehensive Title VI Plan;
- Review and approve contract-by-contract goals for Developer Reimbursement Agreements;
- Conduct a minimum of 4 contractor Prism Usage trainings and fully implement the software;
- Design, develop and implement a Contractor (prime and sub) Awards Program;

- Submit recommended improvements to the SLBE Program by 3rd quarter of FY12;
- Provide a minimum of 4 Technical Assistance seminars for SLBE/ELBE construction contractors; and
- In collaboration with Public Works Department, business community, AGC and Citizens Equal Opportunity Commission, review and recommend improvements to the City's Mentor Protégé Program.

### **Economic Development**

- Award 5 loans under the Revolving Loan Program totaling \$200,000;
- Increase number of businesses participating in the Small Business Development Pilot Program by 5%;
- Increase number of pilot participants certified in the Small Local Business Enterprise Program by 5%; and
- Provide 3 "Meet the Buyers" Networking Events in collaboration with City Purchasing & Contracting Department.
- The City is the recipient of a Congressional Grant, funded and administered through the U.S. Small Business Administration, to develop a Business Resource Center (BRC). Staff aims to enhance the City's website to create an online BRC and then unveil a BRC kiosk in the lobby of CAB to showcase our programs and services for businesses.

### **Purchasing & Contracting**

- Implement SRM Vendor Registration.
- Provide 3 "Meet the Buyers" Networking Events in collaboration with City Purchasing & Contracting Department.
- Increase DBE/SLBE/MBE/DBVE/WBE participation by 2%.
- Report subcontractor DBE/SLBE/MBE/DBVE/WBE participation.
- Develop a Supplier/Mentor Collaboration with two Office of Small Business vendors that includes monthly meetings with the P&C staff to provide as needed technical assistance.





September 1, 2011

City of San Diego  
202 "C" Street  
San Diego, CA 92101

ATTN: Honorable Mayor Jerry Sanders  
Honorable City Council

Turner Construction Company  
9330 Scranton Road  
Suite 300  
San Diego, CA 92121  
phone: 858.320.4040  
fax: 858.558.4408

**RE: Subcontracting Outreach and Participation on the New Central Library**

Mayor Sanders & Members of the City Council:


As Turner Construction Company's local Vice President and General Manager, I would like to express our continued commitment to ensuring that the New Central Library Project, as a whole, will include a diverse group of prime and second tier subcontractors and vendors. The scope and size of this project provides significant contracting opportunities at all levels. We have required our prime contractors to share this same commitment of inclusion.

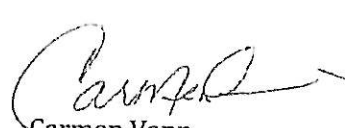
Through our outreach and good faith efforts, we are committing to awarding 20% of our subcontracting opportunities to Minority, Woman and Disadvantaged Business Enterprises (M/W/DBE) including 1-3% to Disabled Veteran Business Enterprises (DVBE). As the project is approaching 40% complete, we have confirmed 11.3% total combined participation. We are also currently committed to a minimum of 85% local subcontractors and labor.

Our reputation is based upon being a leader in the industry and for creating opportunities for Underutilized Business Enterprises as well as making sure these firms are members of our local community. Therefore, I am giving you Turner Construction Company's and our personal commitment that we will achieve a minimum of 20% M/W/DBE participation on this project.

Sincerely,

**TURNER CONSTRUCTION COMPANY**

  
W. Shawn Rosenberger  
Vice President & General Manager

  
Carmen Vann  
Project Executive

WSR:drw

Copy: Debra Fischle-Faulk – San Diego City Administration Dept. Director  
Richard Bach – Senior Vice President, Turner

## Office of Small Business Additional Outreach

### ATTACHMENT A

The Small Business Ambassador provided presentations, advocacy, collaboration, and City departmental support for internal and external small business outreach events, trainings, promotional materials, and workshops:

<b>Date</b>	<b>Organization/Event</b>	<b>Activity/Presentation</b>
9/21/10 & 6/8/11	"Meet the Buyers" Networking Event in collaboration with City of San Diego Purchasing & Contracting Department	Planned, coordinated and collaborated on all details of this special event for Small Business Development Pilot Participants
5/19/10 & 5/18/11	"Annual Potential Bidders Conference" – National Public Works Week	Provided The "Business" of Small Business in the City of San Diego presentation to support City's annual outreach event to interested bidders.
12/17/2010	City of San Diego Small Business Advisory Board Meeting	Provided 2010 Small Business Development Pilot Program Results
1/20/11 & 4/19/11	"How to Do Business with the City" Workshops – Purchasing & Contracting Department	Provided "10 Key Steps to Starting A Business" presentation to MAAC Project Green Team Students
5/2010 & 5/2011	2010 & 2011 Small Business Administration's "Small Business Resource" Publication	Facilitated City of San Diego promotional representation in 2010 and 2011 "Small Business Resource" Publication to highlight the City's business-friendly resources and climate.

The Small Business Ambassador attended, supported and served as an advocate on behalf of the City of San Diego at regional economic development and small business events including:

<b>Date</b>	<b>Organization/Event</b>	<b>Activity/Role</b>
7/27 – 7/28/10	San Diego Regional Minority Supplier Development Council – Supplier Diversity Achievement Week – "The Power of Inclusion" Conference	Attendance, Outreach, Advocacy & Support
8/24/2010	Small Business Administration: "Women's Federal Dollars & Sense"	Attendance, Outreach, Advocacy & Support

**Office of Small Business  
Additional Outreach**

	Workshop	
8/25/2010	Small Business Administration: "America Recovery and Reinvestment Act" Workshop	Attendance, Outreach, Advocacy & Support
10/21/2010	"Paths to Partnerships" Regional Networking Forum – San Diego County Water Authority	Attendance, Outreach, Advocacy & Support
11/18/2010	2010 Workforce Partnership Economic Summit	Attendance, Outreach, Advocacy & Support
1/6/11	2011 Economic Trends – San Diego Business Journal	Attendance, Outreach, Advocacy & Support
1/28/11	San Diego County Economic Roundtable 2011 – San Diego Workforce Partnership	Attendance, Outreach, Advocacy & Support
3/18/11	SCORE's Women's Networking Breakfast Event	Attendance, Outreach, Advocacy & Support
5/13/11	SDSU Small Business Consulting Center presentations	Attendance, Outreach, Advocacy & Support – City of San Diego Small Business Enhancement Program Grant
6/6, 6/7, & 6/9/11	San Diego Regional Minority Supplier Development Council – Supplier Diversity Achievement Week – "The Way Forward in a New Economy"	Attendance, Outreach, Advocacy & Support